

have a vested interest in making sure that company succeeds. When it fails and we have this excessive compensation to the corporate executives, it is different than how the rank and file are treated. We should correct that. That is why I said I think we are wasting our time on this resolution and we missed an opportunity because we should have been talking about the issues that would have brought us closer together on the underlying bill and given us a better chance to get a bill to the President's desk.

I do not believe this resolution helps us achieve those objectives. I regret that we are debating this resolution rather than the important issues that we should in regards to protecting workers' rights.

Mr. MATSUI. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Indiana (Mr. VISCLOSKY), a member of the Committee on Appropriations.

Mr. VISCLOSKY. I thank the gentleman for yielding me this time.

Mr. Speaker, I would open my remarks by stating that as a Member of this House for the last 18 years, I never remember being so tired, tired of doing nothing, tired of not passing an agricultural appropriation bill, tired of not passing a foreign assistance bill in this House, tired of not passing an energy and water bill in this House.

The gentleman from Ohio in his remarks stated before that a number of points as far as corporate compensation needing shareholder approval was not before the body. He was absolutely right, because the gentleman from California (Mr. MATSUI) wanted to make those important questions part of the real debate today and we were prohibited by the leadership under the rule that provided consideration of this resolution from doing it. What did the gentleman from California want to do as far as making sure real American citizens who owned stock can either approve or disapprove outrageous corporate perks?

Let us talk about corporate housing that is provided to executives. In the First Congressional District, I have had thousands of steelworkers lose their jobs. They have had to sell their house. Nobody is providing them any house and voting on it. We have talked about corporate jets and no one being able to vote on that as far as shareholders are concerned. When my steelworkers come out to Washington, D.C., they take a bus. When we talk about shareholders having an opportunity to vote on reimbursement for living expenses, the people I represent have lost their job and they do not have any money to live on. The only thing I do not have a concern about is sporting events, because they have all the time in the world to go to their children's soccer games and Little League games and basketball games because they have lost their job. They have lost their job. And we were not allowed today to vote on that issue and that is wrong.

Mr. ROEMER. Mr. Speaker, I rise in support of strengthening retirement security in America. Congress should act now to clean up executive mismanagement and check corporate greed that is responsible for the loss over \$175 billion in pension savings.

In my home state of Indiana, 55 percent of the workforce has pensions. Over the last year, their losses exceed four and a half billion dollars worth of hard-earned retirement savings. Hoosiers like all Americans are shocked by reports of corporate executives who played by different rules, who deceived employees about their company's health, and who skimmed billions from corporations heading toward bankruptcy while thousands of workers witnessed their jobs and pensions evaporate.

The House of Representatives had a chance to enact meaningful reform when the Pension Reform Act, H.R. 3762, was considered last April. However, that bill fails to achieve basic protections reforms that most businesses and workers should agree on such as allowing employees to adequately control their own investments in pensions funds. Nor does it provide for investment diversification, employee representation on pension boards, or improved investment advice. For these reasons, I did not support H.R. 3762 when it was considered by the House last April.

As the pension crisis has deteriorated in recent months, CEOs and corporate executives continue to play by different rules than their employees. The law maintains giant loopholes permitting employers to deceive employees about stock sales and conceal stock options and conflicts of interest. Pension funds are supposed to belong to the employees, but they are still denied the ability to say how their funds are managed.

Although I support the intent of this resolution to stimulate further consideration of pension reform legislation, I believe that the House bill could be improved. For example, I offered amendments requiring corporations to notify their employees when stock levels in their pension reforms exceeded designated amounts. This would encourage workers to diversify their accounts in case of sudden and unexpected downturns in their company stock holdings. I also proposed an amendment requiring corporations to communicate to their workers in clear and understandable terminology with regard to pension rules. Unfortunately, the Rules Committee denied consideration of my amendments on the House floor.

Congress should act now to improve a workforce environment where retired workers now struggle to live with dignity after working for so many years while executives take home disproportionately high benefits at the expense of profits earned from employee-contributed pension plans. The current pension reform legislation fails to make corporate executives play fair or by the same set of pension standards as their workers. I therefore urge rejection of this business as usual resolution.

Mr. STARK. Mr. Speaker, today I rise in opposition to both H. Res. 540 and H. Res. 544. We desperately need to pass meaningful pension security reform. But the plan put forward by Republicans flatly does not pass the test. These resolutions simply call for urging the Senate to comply with the Republican's ill-conceived reforms and then make them permanent.

Republicans can chastise the Senate all they want or put hard hats on corporate lobby-

ists to make people think they're listening to average, everyday American workers. But it won't change the simple fact that Republican pension reform just isn't enough. In fact, these resolutions are so meaningless that they can only be viewed for what they are: a temporary distraction from the real reform the Republicans have failed to deliver.

President Bush has said, that if "It's okay for the sailor, it ought to be okay for the captain." Democrats agree with the President's rhetoric and have taken it a step further in offering a bill—of which I am an original cosponsor—that truly holds corporations accountable. The Republicans simply allow corporate captains to sink their own companies and let workers and investors go down with the ship.

Corporate executives should be required to face the same rules on stock options and deferred compensation plans as apply to rank-and-file employees. The bill that the Democrats propose would provide workers the same rights to buy or sell company stock in their 401(k) plans as corporate executives have in being permitted to buy or sell company stock obtained through stock options.

President Bush claims, "It is unfair for workers to be denied the ability to sell stock when executives are free to sell stocks . . ." and again Democrats completely agree. Corporations rarely restrict their executives' capacity to buy and sell stock from stock options, but many corporations restrict their rank-and-file workers from buying and selling the corporation's stock in their 401(k) plans.

Democrats would eliminate this double standard by ensuring that CEOs adhere to the same restrictions as employees in the buying and selling of their company stock. Our bill would impose tax penalties on executives who sell stock acquired from stock options if the sale violates the restrictions rank-and-file employees face in their own 401(k) plans. Executives don't need any more perks than they already receive. But it's high time this Congress listen to the calls of the rank-and-file workers who want their pensions protected from unscrupulous corporate thieves.

The resolutions before us today are an insult to American workers. I urge my colleagues to vote no on H. Res. 540 and H. Res. 544.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 547, the resolution is considered read for amendment and the previous question is ordered on the resolution.

The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. PORTMAN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

GENERAL LEAVE

Mr. PORTMAN. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remark and to include extraneous material on the subject of H. Res. 540, the resolution just considered.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

EXPRESSING THE SENSE OF THE HOUSE ON PERMANENCY OF PENSION REFORM PROVISIONS

Mr. PORTMAN. Mr. Speaker, pursuant to House Resolution 547, I call up the resolution (H. Res. 544) expressing the sense of the House of Representatives on permanency of pension reform provisions, and ask for its immediate consideration.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 544

Whereas increasing pension coverage and pension savings is crucial to retirement security;

Whereas the Economic Growth and Tax Relief Reconciliation Act of 2001 provided significant bipartisan pension reforms that would increase pension savings and increase the number of employees covered by employer pension plans;

Whereas these pension reforms are scheduled to expire after 2010;

Whereas a bipartisan majority of the House of Representatives passed H.R. 4931, the Retirement Security Savings Act of 2002, on June 21, 2002 by a vote of 308-70 to permanently extend these important pension benefits;

Whereas failure to enact H.R. 4931 would significantly impact retirement planning and retirement security by eliminating pension reforms that exist under present law; and

Whereas the Senate has not passed the Retirement Security Savings Act of 2002 or equivalent legislation: Now, therefore, be it

Resolved, That it is the sense of the House of Representatives that the Congress should complete action in the 107th Congress on the Retirement Security Savings Act of 2002 and present such legislation to the President for his signature prior to adjournment so that American workers can be assured that the pension reforms under present law will not be eliminated.

The SPEAKER pro tempore. Pursuant to House Resolution 547, the gentleman from Ohio (Mr. PORTMAN) and the gentleman from California (Mr. MATSUI) each will control 30 minutes.

The Chair recognizes the gentleman from Ohio (Mr. PORTMAN).

□ 1845

Mr. PORTMAN. Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. BRADY), a valued member of the Committee on Ways and Means.

Mr. BRADY of Texas. Mr. Speaker, I thank the gentleman from Ohio for yielding me time and thank him for his leadership in this very bipartisan effort to increase and protect retirement savings.

Let me, as an aside, tell you that retirement security is very important in my district. I have many Enron workers in my district. Many of them are my neighbors who have lost their jobs, lost their whole retirement savings through no fault of their own. Listen-

ing to the debate tonight, I continue to be ashamed of those in Congress who continue to try to score political points off the misery of our Enron workers and shareholders.

We have an opportunity, both in urging the Senate to take this bill off their calendar and to help us protect retirement savings, and we have it in this resolution as well, where we are trying to protect improvements that have been made to help people save.

We simply do not save enough in America. For the life of me, I do not know why Washington insists on creating obstacles to savings, punishing people for trying to put money aside for their education or their retirement or for health care, for a rainy day. Under the bill that we passed in a very bipartisan way, we helped remove those obstacles.

Unfortunately, unless we make those incentives permanent, in 10 years we are going to make it harder again for people to save. Without the Senate taking this bill from the calendar, where it has remained for quite some time, too long, the maximum amount that you and I can contribute to our IRA each year will be cut from \$5,000 to \$2,000, at a time we need it the most. The most that we can contribute to our savings plans at work will be cut almost \$5,000, again at a time when inflation adds up and we need those savings the most.

This catch-up provision for people, especially women, who worked at home while others set up their business or worked, who can make catch-up retirement contributions, that will be eliminated. Also the portability, which means when people move from job to job, like a backpack they can take their pension retirement with them easily, that will be erased as well.

So we have added expenses and obstacles and disincentives to savings that simply do not belong there. Congress was wise to remove it. We would be much wiser to make it permanent.

I support this resolution, and anyone who truly cares about savings ought to do the same.

Mr. MATSUI. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, it is kind of interesting, because I do not have anybody that wants to speak. This bill is so meaningless, so irrelevant, so worthless, that not one of my colleagues on our side of the aisle wants to speak. I think the other side probably has two or three, probably because they want to say something, I do not know what. But again, this is a resolution that asks the other body to pass a bill that we passed.

Now, under the rules of the institution, of the Congress, after we pass a piece of legislation we enroll it and then we send it over to the other body so they know they can either take action or take no action. If they decide to take no action, then the next logical thing is, maybe you do not want to walk over there, maybe the 5-minute

walk takes too long, how about just calling them up and saying, hey, what is wrong with the bill we sent over, because we want to move it. Then maybe you can have a discussion. But, instead, we have to pass a resolution, keep all the staff here; and no one really wants to speak about it.

I will tell you why this is so irrelevant. This is unbelievable. It is so irrelevant because this will not take effect until 2010. This will not take effect until the year 2010, 8 years from now. We are not even going to be around here. Maybe that is why we are doing it now, because we want to make sure our legacy is going to be effective in 2010. This is not going to have any effect, even if it became law, until the year 2010.

Well, let me just say this, if I may, Mr. Speaker, because I do not want to get into the substance too much, but I think it does require a little discussion about the substance. In this proposal that was passed by the House, and is not being passed by the other body and will not take effect, at least the extension of this law, for 8 years, 84 months, 8 years, in this proposal we actually make significant changes in the anti-discrimination law, that is a very technical law, and also the top-heavy rules.

I have a letter dated April 11 when the bill was being considered by the House by Daniel Halperin, who just happens to be a professor of law at Harvard University, an expert on pension law; and he says if this bill is allowed to continue and take effect, at that time it had not taken effect, but it is in effect now, it could allow about 80 percent of the ordinary workers of a company that are non-highly compensated to be excluded from the plan, the pension plan. Eighty percent of the workers could be excluded from the pension plan. You just help the high-level employees.

Then I have a letter from a professor from the University of Alabama named Norman Stein, not a real liberal institution, Alabama; but he indicates that this bill was cobbled together by the pension industry.

Of course, Karen Ferguson, director of a group that makes sure that beneficiaries are adequately taken care of on pension benefits, basically said this bill is really going to do damage to the average worker in America because it is going to create a situation because of the top-heavy rules and anti-discrimination rules where pension benefits are going to be eliminated.

The gentleman from Ohio (Mr. PORTMAN) has said, because I remember the debate he had last time, that, no, what is going on, the reason why Americans are not having more pension benefits is because these rules are too complicated and it does not do enough for the highly compensated employees. So why would a manager, an executive, set up a pension plan if he is not going to benefit?

The reason he does not set up that plan, I say to the gentleman from Ohio,